

TRANSMITTAL SLIP		DATE 4 OCT 1983
TO: DDA		
ROOM NO.	BUILDING	
REMARKS: EO/DDA <i>[Signature]</i> 5 OCT 1983 ADDA <i>[Signature]</i> 5 OCT 1983 op has copy		
FROM: <input type="text"/>		
ROOM NO.	BUILDING	EXTENSION

FORM NO. 241
1 FEB 55

REPLACES FORM 36-8
WHICH MAY BE USED.

(47)

STAT

DD/A Registry

83-4465

DD/A REGISTRY

OLL 83-2389
3 October 1983

100-13

MEMORANDUM FOR THE RECORD

SUBJECT: Introduced Legislation

1. Attached for your information and review is a copy of S. 1866, which, if enacted, would require the payment of survivor annuities in certain cases involving missing retired federal employees, or members of Congress entitled to receive federal annuities, and other purposes.

2. The Office of Legislative Liaison will follow this legislation and will report on its progress as appropriate.

STAT

Liaison Division
Office of Legislative Liaison

Attachment
As stated

Distribution:

- Original - OLL Record w/att
- 1 - OLL Chrono w/o att
- ✓ 1 - DDA w/att
- 1 - D/OLL w/o att
- 1 - DD/OLL w/o att
- 1 - C/LD/OLL w/o att
- 1 - C/LEG/OLL() w/o att
- 1 - C/SL/OLL w/o att
- 1 - DD/Pers w/o att
- 1 - DD/Pers/SP w/att
- 1 - AD/PP/OF w/att
- 1 - TBC Record w/att
- 1 - TBC Chrono w/o att

LD/OLL () (4 October 1983)

STAT

STAT

83-4465

II

98TH CONGRESS
1ST SESSION

S. 1866

To amend subchapter III of chapter 83 of title 5, United States Code, to provide for the payment of survivor annuities in certain cases involving missing retired Federal employees or Members of Congress entitled to receive annuities under such subchapter, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 21 (legislative day, SEPTEMBER 19), 1983

Mr. BENTSEN introduced the following bill; which was read twice and referred to the Committee on Governmental Affairs

A BILL

To amend subchapter III of chapter 83 of title 5, United States Code, to provide for the payment of survivor annuities in certain cases involving missing retired Federal employees or Members of Congress entitled to receive annuities under such subchapter, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That section 8345 of title 5, United States Code is amended
4 by adding at the end thereof the following new subsection:
5 “(j)(1) For the purpose of this subsection, the term
6 ‘missing status’, when used with respect to a retired employ-
7 ee or Member or an individual receiving a survivor annuity

1 under paragraph (2) of this subsection, means that such re-
2 tired employee or Member or such individual is officially con-
3 sidered or determined by the Office of Personnel Management
4 to be—

5 “(A) missing;

6 “(B) missing in action;

7 “(C) interned in a foreign country;

8 “(D) captured, beleaguered, or besieged by a hos-
9 tile force; or

10 “(E) detained in a foreign country against his will.

11 “(2)(A) The annuity of a retired employee or Member
12 who is in a missing status terminates on the date the Office of
13 Personnel Management determines him to be in such status.
14 If, within 6 months after the date the Office of Personnel
15 Management determines the retired employee or Member to
16 be in a missing status, the Office does not receive notice that
17 the retired employee or Member has reappeared, a survivor
18 annuity may be paid to any individual who would be entitled
19 to an annuity under this subchapter in the event of the death
20 of the missing retired employee or Member. If the retired
21 employee or Member reappears at any subsequent time, the
22 survivor annuity paid under this subparagraph terminates on
23 the date the Office of Personnel Management receives notice
24 of the reappearance, and the total amount of survivor annu-
25 ities paid based on the missing status of such retired employ-

1 ee or Member shall be deducted by the Office from the
2 amount of any accrued annuity owed to the retired employee
3 or Member.

4 “(B) Notwithstanding any other provision of law, no
5 payment of any portion of the annuity of a retired employee
6 or Member who is determined to be in a missing status may
7 be paid to another person pursuant to any court order, other
8 than a court order enforcing this subsection, on or after the
9 date the determination is made. The preceding sentence shall
10 not apply on or after the date the Office of Personnel Man-
11 agement receives notice that the retired employee or Member
12 has reappeared. Beginning on the date that such notice is
13 received, the total amount that would have been paid to an-
14 other person out of the annuity of the retired employee or
15 Member pursuant to a court order had payment not been pro-
16 hibited by the first sentence of this subparagraph shall be
17 deducted from the amount of any accrued annuity due the
18 retired employee or Member and shall be paid pursuant to
19 such court order as provided by law.

20 “(3) The annuity of a survivor who is in a missing status
21 shall be treated in the same manner as the annuity of a re-
22 tired employee or Member who is in a missing status.”.

○